

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (original) An oxalate deficient *A. niger* strain for the production of a given enzyme, wherein the oxalate deficient strain produces at least the same amount of the enzyme as the wild type strain it originates from under the same culture conditions.
2. (original) An oxalate deficient *A. niger* strain according to claim 1, wherein the oxalate deficient strain produces more of the enzyme than the wild type strain it originates from under the same culture conditions.
3. (currently amended) An oxalate deficient strain according to claim 1 ~~or 2~~, wherein the oxalate deficient strain has an intracellular OAH activity, which is between 1% and 25% of the intracellular OAH activity of the wild type strain it originates from as detected in a model reaction.
4. (original) An oxalate deficient *A. niger* strain, characterized in that when the strain has been transformed with an expression construct comprising a gene coding for an enzyme, said strain produces at least the amount of the enzyme the wild type strain it originates from would produce under the same culture conditions, when the wild type strain has been transformed with the same expression construct as the oxalate deficient strain.
5. (original) An oxalate deficient *A. niger* strain according to claim 4, characterized in that the gene is an heterologous gene.
6. (currently amended) An oxalate deficient *A. niger* strain according to ~~any one of claims 1 to 5~~ claim 1, wherein the strain produces at least the amount of enzyme the *A. niger* strain CBS 513.88 produced under the same culture condition, preferably more.
7. (currently amended) An oxalate deficient *A. niger* strain according to ~~any one of claims 1 to 6~~ claim 1, wherein the enzyme is a fungal alpha amylase.

8. (original) An oxalate deficient *A. niger* strain according to claim 7, wherein the fungal alpha amylase is derived from *Aspergillus oryzae* or *A. niger*.

9. (original) A method for obtaining oxalate deficient *A. niger* strains which are suitable for producing at least the amount of enzyme the wild type strains they originate from produce under the same culture conditions, said method comprises the following steps:

a) *A. niger* is subjected to UV irradiation,

b) MTP cultures of surviving colonies obtained in a) are realized under the culture conditions retained in a),

c) a selection within the MTP cultures is performed in which mutants are selected that produce no more than half the amount of oxalate that the wild type strain they originate from produces under the same culture conditions,

d) a second selection is performed within the mutants obtained in step c) in which mutants are selected that produce at least the amount of enzyme the wild type strains they originate from produce under the same culture conditions.

10. (original) A method according to claim 9, wherein the method comprises an additional step e) wherein mutant selected in step d) are further selected to have an intracellular OAH activity, which is between 1% and 25% of the intracellular OAH activity of the wild type strain it originates from as detected in a model reaction.

11. (currently amended) A method of producing a given enzyme comprising using ~~Use of an oxalate deficient *A. niger* strain according to claim 1 any one of claim 1 to 8 or obtainable by the process of any one of claims 9 or 10 for the production of a given enzyme.~~